IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
Writ Petition No.3565 of 1997

Vithal Shrihari Kale. .. Petitioner

Vs.

The Chief Executive Officer,
Pune Zilla Parishad, Pune & Ors. .. Respondents

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Shri S.A.Sawant for the petitioner.

Shri Nitin P. Deshpande for Respondent Nos.1 and 2.

Shri R.M.Patne, AGP for respondent No.3.

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CORAM : R.M.S.KHANDEPARKAR &
S.R.SATHE, JJ.

DATED : 21ST APRIL, 2006

P.C.

1. Shri Sawant, the learned advocate for the petitioner, Shri Deshpande, the learned advocate for the respondent Nos.1 and 2, and Shri Patne, the learned AGP for the respondent No.3, are present. Heard.

2. The learned advocate for the petitioner has

placed on record a xerox copy of the letter stated to have been written by the Chief Executive Officer of the respondent - Zilla Parishad, Pune, to its advocate. It is informed that the said copy was furnished to the learned advocate for the petitioner by the learned advocate for the respondents. According to the said letter, the Zilla Parishad has expressed willingness to release pensionery benefit to the petitioner as he had been in the service of the respondent - Zilla Parishad till his retirement. Copy of the letter produced by the learned advocate for the petitioner is placed on record. The learned advocate for the respondent Nos.1 and 2 confirms the facts stated in the said copy of the letter.

3. The learned advocate for the respondent Nos.1 and 2 has placed on record the affidavit of Deputy Chief Executive Officer of the respondent No.2, which also discloses that the respondent No.2 has decided to pay compassionate pension to the petitioner.

4. The statements by the respondent- Zilla Parishad in the said letter and the affidavit are accepted. In view of the said statements on behalf of the respondent- Zilla Parishad in the said letter and the said affidavit placed on record, suffice to

observe that the respondent-Zilla Parishad shall take appropriate steps to release pensionery benefits to the petitioner within a period of two months from today. The rule is made absolute accordingly with no order as to costs.

(R.M.S.KHANDEPARKAR, J)

(S.R.SATHE, J)